

Hawaiian Gazette.

SEMI-WEEKLY.

ISSUED TUESDAYS AND FRIDAYS

WALTER G. SMITH, EDITOR.

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AMERICAN SUGAR COMPANY.

It is Rumored It Will Buy Kamalo
Plantation.

The special committee which went
to Molokai on Wednesday last to
investigate the water supply for the
American Sugar Co. at Kaunakakai,
returned yesterday morning on the
Lehua. Just what the committee saw
or did is being made a mystery of. No
questions asked in regard to the situation
were answered by them. One
stated he was "not at liberty to divulge
anything about the committee's investigation
whatever."

From various sources, however, it
was learned that the American Sugar
Company is about to make a proposition
to take over the Kamalo plantation
holdings, in order to secure its water
supply. The latter plantation is said
to have closed down to a large extent,
all the employees having been dis-
charged with the exception of about
forty Japanese laborers who will re-
main under Manager McLane. Dr.
Mouritz also is reported to have made
the Kamalo plantation an offer to buy
back the property sold by him a year
ago at the same price paid to him.

A partial agreement had been made
between the Kamalo company and the
American Sugar Company to have the
latter's mill grind for both plantations.
The condition of the water at Kaunakakai
and Kawaia has forestalled the
erection of the mill at Kaunakakai and
as a consequence no further work to a
large extent will be done on Kamalo
this year. The mill which is on the
way here now on the Hordas from New
York will in all probability be stored
on arrival to await the action of the
directors of the American Sugar Company.

BURIALS AND WATER.

Professor Lyons on Topics of Cur-
rent Interest.

Professor C. J. Lyons objects to the
statement of the burial committee that
the proposed site of a cemetery at Wala-
lae is windward from Honolulu. The
place lies in a southeasterly direction
and the wind blows from the north-
east. "If," says Professor Lyons, "a
new cemetery is put on the Walaia
flat, just beyond the hill and near the
sea, it can be reached by the funeral
cars of the rapid transit system and will
be in an ideal locality."

Professor Lyons disagrees also with
the view expressed in the Council of
State that artesian water needs filtra-
tion. "If artesian water is not allowed
to stand in galvanized pipes or tanks,"
he says, "it is all right. It's the pipes
that play the mischief. An artesian
reservoir would give the city the best
of water."

THE COURT OF CLAIMS

Adjourns Indefinitely
Yesterday.

ACTION ON DOLE'S ADVICE

The Commissioners Will Come To-
gether Again When Called
By the President.

The Court of Claims has adjourned;
it may be for days and it may be for
years. The action of the Council of State
on Friday in refusing funds for the
court's conduct was supplemented yes-
terday by President Dole calling a halt
to the court's sessions. The matter
came up in the Executive Council yes-
terday morning. Considerable discus-
sion among the councilors ensued and
J. A. Magoon, president of the Court of
Claims, was sent for.

President Dole told Magoon that the
Council of State having assumed the
responsibility of stopping the operation
of the court, he had concluded that such
responsibility should rest with that
body. The Executive said he would
advise the court to adjourn at once to
meet at the call of the President of the
Republic. A question was raised as to
the employment of a clerk to receive
fire claims during the closing of the
court. Magoon said that three claims
had been filed on Saturday and that
many more would undoubtedly come in.
Over a thousand blanks for filing
claims had been given out to applicants.
Some talk followed and opinions of
what was best in the premises were ex-
pressed. It was finally decided that the
court should cease work immediately
for the present. President Magoon said
that this would be agreeable to the
commissioners of the court and with-
drew.

In the Council of State.

Councilor Achil's resolution attacking
the Court of Claims was the order of
the day in the Council of State yes-
terday but the framer of the resolution
was absent when the matter was ready
for discussion. Isenberg, who occu-
pies the desk next to Achil's said the
latter would probably be absent alto-
gether from the meeting and asked that
the matter be deferred until today.
Upon a motion to this effect being put
to the Council, it was unanimously agreed.
Achil came in later and did not
offer to call up the resolution upon
hearing of its temporary disposition.

The Court Adjourns.

The Court sat yesterday afternoon
for two hours. It was probably to be
its last session and it was made the
most of. A number of petitions accom-
panying claims for fire losses were
heard and handed over to the safe-
keeping of the stenographer. It was
reported that a sum of money, the ac-
cumulated deposits of claimants, was
in bank in the name of the Court. The
members of the Court chatted about
the action of the Chamber of Com-
merce, of the Council of State and of
the Executive Council. It was recog-
nized that there was no further possi-
bility of sessions with no money to
run the Court, and so the Court made
up its mind to accept the inevitable.
It adjourned. Before doing so the fol-
lowing statement was drawn up and
voicing the sentiments of all the Com-
missioners:

The members of this Court were
commissioned on Monday, the 2d day
of April, 1900. The Court organized
immediately, realizing the need of
speedy settlement of all just claims
against the Government. We have met
from day to day until this time for the
purpose of receiving and filing claims,
and have distributed a great many peti-
tions to people who have expressed
a desire to have their claims adjudicated.
The Court met here today pre-
pared to receive petitions and to pro-
ceed with the business for which the
Court was created, but on account of
the failure of the Council of State to
appropriate money for the necessary
expenses of the Court, President Dole
requested the Court to adjourn subject
to his call. The Court appreciates the
position of people who have filed
claims here and those who were pre-
paring their claims for filing, and is
anxious that they should have speedy
redress, but the action of the Council
of State has tied its hands and prevents
consideration of all claims by this
Court for the present.

St. Augustine's, Kohala.

Under the Rev. E. J. H. van Deerlin
alterations have been made in the in-
terior of St. Augustine's Church, at Ko-
hala, which have given the Chancel a
more spacious and dignified appear-
ance, and every one is pleased with
the change. A new carpet entirely cov-
ers the chancel floor from the en-
trance to the east end. The guild is now go-
ing to paint the seats and the floor of
the nave. When everything is fin-
ished it will be a perfect little gem of
a country church. The Bishop will
hold a confirmation here in May, if the
quarantine is raised.—Diocesan Mag-
azine.

GENERAL JOUBERT IS DEAD AT PRETORIA

The Old Boer Warrior Succumbed to
Peritonitis.

**KRUEGER SAYS HE WILL ATTACK
AND TAKE BLOEMFONTEIN**

Mafeking Not Yet Saved and a Relieving Force
Repulsed—War Clouds in Asia
And Europe.

NEW YORK, March 28.—A Sun-
day cable from Pretoria, March 28, 4 a. m.,
via Lourenzo Marquez, says: Piet Joubert,
Vice President of the Transvaal
and Commandant General of the re-
public's military forces, died shortly
before midnight last night, aged 68
years and 60 days. He succumbed to
an attack of acute inflammation after
a short illness, attending church even
last Sunday. The whole country is
thrown into the deepest gloom by his
death. His loss is believed to be irre-
trievable, particularly if any settle-
ment should be arrived at with the
British. The remains will be taken
tomorrow to Wakkerstroom district
where they will be interred in the fam-
ily cemetery on the farm he owned
there. Words are incapable of describ-
ing the nation's grief over the loss of
the Commandant General at a time
that is so critical in the history of the
republic.

LONDON, March 29.—The Pretoria
correspondent of the Daily Mail, tele-
graphing yesterday, says:

"General Joubert died of peritonitis.
The funeral will take place tomorrow
(Thursday). The Government is
pleading with the widow to allow a
temporary internment here, with a
state funeral. Joubert always ex-
pressed a desire to be buried in a mausoleum
built on his farm.

"His successor in the chief command
will probably be General Louis Botha,
now commanding in Natal."
NEW YORK, March 28.—A Tribune
cable from London says: General Joubert's
death, which is reported from
Lourenzo Marquez, is a military event
of the first importance. This is an an-
nouncement which will mark the be-
ginning of the end of Dutch resistance.
He possessed not only military talent,
but also real authority over the Dutch
commandos, and his appearance be-
yond the Vaal river would have been
the signal for the rallying of the bur-
gers for a final stand against General
Roberts. General Joubert has been
troubled in Natal by other command-
ers who were free to express their
opinions in the councils of war and
even to upset his plans, but his plan
of defense had been adopted and the
Boers and Free States alike had con-
fidence in him.

Joubert would have been a foe-
man worthy of General Roberts' steel. His
death will deprive the Boers of the only
leader really competent to direct the
defense of their country. He has been
killed off often by newsmongers dur-
ing the war, as the result of illness in
the Natal campaign. All references of
the English press to General Joubert
are kind and appreciative. He and
Chief Justice Kooze have been regard-
ed by South Africans as Boers of real
nobility of character whose minds
were not perverted by ambition and
selfishness.

Sympathy of the Queen.

LONDON, March 30.—Queen Victoria
has cabled to Lord Roberts asking
him to convey to Mrs. Joubert, widow
of General Joubert, her sympathy at
the loss of her husband, and to tell
her that the British people always re-
garded the dead general as a gallant
soldier and honorable foe.

Future of South Africa.

NEW YORK, March 24.—A Sun cable
from London says: It is understood
that a committee of the British Cab-
inet, which has been deliberating on the
political future of South Africa in gen-
eral, and of the Boer republics in par-
ticular, has already arrived at an agree-
ment on several points of principle in-
cluding the creation of a new viceregal-
ity. The settlement will provide a
Governor-General of the whole of South
Africa on Canadian lines, with a House
of Commons sitting in various prov-
inces, including the Transvaal and
Orange Free State. After a period of
political probation, Lord Roberts will
have the first offer of the Governor-
Generalship and will refuse. The post
will not be offered to Sir Alfred Milner,
as has been suggested. He will, in
fact, be recalled.

Politicians expect that the new Vice-
roy will be Lord Reay, a peer of ability
and administrative experience, with al-
most the unique advantage of having
Dutch blood in his veins and of speak-
ing the Dutch language. The Cabinet
having settled the broad lines of policy,

(Continued on Page 6.)

LOOKING ON IN CONGRESS

Mr. Armstrong's Special
Correspondence.

PORTO RICO TARIFF ISSUE

Half-Digested Measures—The Beet
Sugar Interest—Fate of the
Appletons.

WASHINGTON, D. C., March 26.—
The "inside history" of the Porto Rico
legislation, like nearly all inside his-
tory of legislation, may never be fully
disclosed. The friends of the Admin-
istration admit that there is great suf-
fering among the people of the island,
but that in many ways it is exaggerat-
ed for political purposes. They claim
that the "15 per cent tariff" is a wise
measure at present, and is satisfactory
to the intelligent people of the island,
but it is opposed by a financial syndi-
cate in the States, which is furnishing
the money to an active lobby of men
from Porto Rico who are preying on
the feelings of the Western members.
The President is convinced, as he has
been for some time, that this tariff is
the mildest and most suitable form of
legislation for the island at the pres-
ent time, and members of the Senate
are generally accepting his views. He
believes that the responsible people of
the island are not opposing him, but
that a tobacco and sugar syndicate is.
These syndicates are not connected
with the Sugar Trust, but have a sin-
gle speculation in the sugar and tobacco
of the island.

The sugar beet interest has not made
headway here. The opposition to free-
trade in insular sugar has been over-
done. While thousands of farmers
have signed petitions to Congress pro-
testing against free insular sugar, it is
evident that the farmers, after all, are
Oxnard and Myrick. The sugar beet
interest is not yet strong enough to
become a power in politics.

The confusion and looseness in
which legislation is carried on in Con-
gress is illustrated in the debate in the
Senate on March 20. There is in the
bill for the government of Porto Rico
a provision which makes the Federal
District Court of the island a part of
the Second Judicial District of the
United States. There was objection to
this provision. Senator Tillman asked
Senator Foraker, who has charge of
the bill, whether the District Court
created by Congress in the Hawaiian
Bill, was not attached to the Ninth
United States Circuit. Senator Foraker,
who was a member of the com-
mittee which drew the Hawaiian Bill,
and fully debated its judicial provi-
sions, replied: "I remember there
was some objection to that but I do
not now remember whether that ob-
jection prevailed. I do not remember
whether it went out or not." Senator
Spooner said he thought that this
provision in the Hawaiian Bill had
been stricken out before the bill was
passed. If it was not, it ought to have
been. While the Senators were in
doubt as to what they had done, only a
few days ago, about the Hawaiian ju-
diciary, Senator Tillman wisely sug-
gested that the Hawaiian Bill should
be looked up. So it was, and it was
proved that Hawaii was made a part
of the Ninth Circuit. The minds of
Senators are so crowded with innum-
erable items of a diversified charac-
ter, involving hundreds of interests,
that no one could recall, within fifteen
days, a very important provision of a
bill about which there had been pro-
longed debate. Senator Foraker then
said that the House ought to strike
out that provision in the Hawaiian
Bill. Careful legislation is simply im-
possible, when, if each member of Con-
gress had a dozen distinct brain-pow-
ers, working separately, he could not
even then master the work before him.

In the debate on the Lord Bill in
the House, which is intended to cor-
rect grave abuses in the postoffice ser-
vice, Mr. McPherson said, with anger:
"One of the principal industries on
both sides of this House is for mem-
bers to spend their time upon the sofa
in the committee room, in the cloak
rooms or in the cellars of this building
and then come in, when great measures
are to be voted on, and with captious ob-
jections, thinking they are playing to
the back seats and their constituents at
home, help defeat a measure of great
merit."

Members of the House are conscien-
tious, but the distractions of Congres-
sional life demoralize them. The terms
of service are short and it is physically
impossible for them to become fami-
liar with the details of the innum-
erable subjects which are before them.
Besides, a large number of members
are looking to re-election in the fall.
They are occupied in managing their
campaigns, at a great distance. A word
uttered in debate, which is "unpopu-
lar," is at once repeated by their en-
emies to their constituents by the local
press.

The Lord Bill, which is intended to
correct abuses in the sending of cheap
literature through the mails at a cost
of one cent per pound, when the actual
cost is seven cents per pound, has been
defeated. It would have saved \$20,-
000,000 a year and enabled a rural de-
livery system to be established

throughout the country. But the edi-
tors of the rural papers opposed it,
because they did not read the bill and
the rich publishers sent out millions of
circulares in opposition to it. So the
majority of members, through fear of
their constituents, voted against it.
One member took the trouble to ex-
plain the Lord Bill to every editor in
his district, and every editor at once
favored it. But no other members
had taken that trouble.

The failure of the great publishing
houses of D. Appleton & Co., following
closely upon the failure of Harper
Brothers, presents one of the singular
phases of American business life.
These were the two largest publishing
houses in America. Their business
was honest and clean. They have
done a vast editorial work in publish-
ing good and valuable books. But the
spirit of the age caught them, and
they gradually extended their business
to enormous proportions. They need-
ed great sums of money. Instead of
accumulating cash capital, they trust-
ed to their credit among moneyed men.
They unconsciously built their busi-
ness craft for sailing with favorable
winds, and were not prepared for finan-
cial typhoons, which came with fearful
regularity in the American business
climate. Shrewd business money
lenders suspected that the Harpers
were carrying too much sail. The mo-
ment money was refused, then they
went under. Then the suspicion arose
that the Appletons were in the same
fix.

Moreover, the original builders of
these great houses had passed away.
They were hard headed, careful, econ-
omical men, who knew what the value
of money was. The younger men en-
tered the business and were provided
with places, because of the family con-
nection. But these younger men had
never seen adversity. They always
tried on financial velvet. They never
struggled for want of means. They
lived more or less luxuriously, did not
worry over the business outlook, often
showed bad business judgment, did not
understand the gradual changes in the
publishing business, which the active,
intelligent, ambitious poor young men
were making, who thought "business"
day and night, and had no time for
dinner parties or social pleasures. The
failure of these two publishing houses
illustrates once more, that it is one
thing to build up a great business, and
another thing to keep it up for a genera-
tion.

The city of Savannah has just
honored Admiral Dewey with a public
reception. An invitation was extended
to Surgeon-General Wyman and to Mr.
W. O. Smith, to become the guests of
the city at the same time. Dr. Wyman
desired to inspect the new quarantine
station near Savannah, and in view of
Mr. Smith's former connection with the
Hawaiian Board of Health, he urged
Mr. Smith to join him. At the ban-
quet given to the Admiral, Mr. Smith
responded to the toast, "Our New Pos-
sessions."

The Admiral's friends say that he is
a poor politician. When he is asked
about the Manila battle, he says, "I had
the best ships, the best guns, the best
officers and men, and of course I whip-
ped the Spanish."

The Court of Claims had decided
against the claim of Dewey's squadron,
that it is entitled to extra compensa-
tion, because it fought a superior force.
It was admitted that it fought a super-
ior force, provided the Spanish land
batteries could be counted as part of the
force. The court, which was disposed
to allow the claim, after due considera-
tion, held that the land batteries could
not be counted in. The Admiral joined
in the claim, out of consideration for
his officers and men, and is personally
satisfied with the verdict.

W. N. A.

RUSSIA AND JAPAN.

**War Preparations Going Forward
Rapidly.**

LONDON, March 30.—A dispatch to the
Daily Mail from Kobe, dated March 28th,
says:

Renewed trouble between Russia and
Japan in Korea is imminent. The move-
ments of the Russian fleet indicate the
probability of the seizure of Chemulpo
port. The War Office officials at Tokio
have been considerably alarmed, and there has
been considerable military and naval ac-
tivity in Japan this month.

YOKOHAMA, March 28.—The Mikado
will review forty Japanese war ships off
Kobe toward the end of the month.
ST. PETERSBURG, March 28.—The
Russian squadron which recently called
at Chemulpo, Korea, has arrived at Port
Arthur.

It was announced in a dispatch from
Yokohama yesterday that a Russian
squadron had arrived at Chemulpo and
that it was believed at Yokohama that
this presaged a demand for a concession
of land at Maraphu, a small harbor
twenty miles south of Chemulpo. A pro-
voked uneasiness comment in Japan. It
was apparent from the dispatch from
St. Petersburg that the feeling of un-
easiness was not warranted by the facts
in the case.

SEATTLE, Wash., March 28.—The Gov-
ernment transport Garonne, from Ma-
nila, February 15th, arrived today from
quarantine with news of active prepara-
tion in military and naval departments
of Japan for war with Russia. The Rus-
sian fleet at Nagasaki has disregarded
the harbor authorities and anchored
where it pleased. The war with Russia
by Captain Conrad of the Garonne to be
strong in Japan, on account of the czar's
secret attempt to gain influence in Korea
in violation of the treaty. A grand as-
sembly of the Japanese navy, to be fol-
lowed by maneuvers from which foreign
newspaper correspondents and the pub-
lic were to be excluded, was fixed for the
last of this month.

LONDON, March 28.—The Evening
News publishes a dispatch from Ma-
nila, announcing that Russia has de-
manded leave to land troops near Ma-
zampo, Korea, the dispatch says, wants
no outside interference.

LONDON, March 30.—The Yokohama
correspondent of the Times says: "It
is feared that other powers will follow
Russia's example in demanding a lease
of territory near Mazampo."
YOKOHAMA, March 29.—M. Pavloff,
Russian Minister to Korea, is pressing
his demands at Seoul, and the Japanese
Minister to Korea, Hayashi Gonsuke,
is discussing the subject with him.

In the case of Hind et al. vs. Wilder,
S. S. Co., Commander Merry and Lieut.
Comdr. Pond, U. S. N., have been sub-
poenaed to appear at the trial.

THE COURT OF CLAIMS

Appropriation Bill For It Tabled.

ACTION OF THE COUNCIL

President Magoon Says He Will Serve Without Pay But Employees May Demur.

(From Saturday's Daily.)

The Council of State has refused money to run the Court of Claims. Yesterday the bill appropriating funds for the Court was shelved indefinitely. President Magoon of the Court says that he will serve without pay, but the other members of the Court have not expressed themselves on this subject. Magoon asserts that as the Court was legally appointed, any debts it might contract in the course of its business would be a legal charge against the Government. He says that his colleagues share this belief. Whether the employees of the Court will coincide with this theory may determine the Court's ability to begin its work. Already two interpreters, a stenographer and a bailiff have been appointed, but their salaries have not been fixed. George A. Davis of the Court is said to have tendered his resignation, but his brother members professed ignorance of his having taken such an step. Magoon says he will not resign. Lorin Andrews of the Court is at Kahuku, Attorney Kepoiki is at Maui, A. F. Judd Jr. has gone to Molokai, and only Magoon and Davis were in the city yesterday when the Council of State took action.

IN THE COUNCIL OF STATE.

How the Appropriation Was Put on the Shelf Yesterday.

The Court of Claims appointments and appropriation are held in abeyance. The Council of State yesterday laid Special Act 7 on the table after a somewhat heated argument between the Attorney General and the members of the Council. The regular business of the session was dragged out longer than was expected, and the Council seemed eager to take up the consideration of Special Act No. 7, covering the appropriation for the Court of Claims. The Attorney General spoke on behalf of the Cabinet when the question came up and gave a lengthy argument in defense of the legal status of the Court of Claims and the liability of the Government for any acts performed by the Board of Health in settling fire to Chinatown and other sections of the city. As to the personnel of the Court of Claims, and the reason for appointing new lawyers as members, the Attorney General stated that questions of law would constantly harass the Court of Claims, and that it had become the policy of the Executive Council to make such appointments.

Councillor Jones came out squarely with a bold question, asking if in case the Court found that the Board of Health had acted legally in all its acts, whether it was the policy of the Government to refuse all or any claims. Not getting a satisfactory answer Jones put the question again and received the reply from the Attorney General that he did not think it was in the power of the Executive Council to change the laws. Jones moved that the bill be laid on the table and this motion was carried by a raising of all hands.

At yesterday's session of the Council there were present: President Dole, Ministers Mott-Smith, Young, Damon and Cooper; Councillors Allen, Robertson, Gonsalves, Kane, Achi, Isenberg, Kennedy, Bolte, Gear, Jones, Robinson and Kauikou. Secretary Manson read the minutes of the preceding meeting, which were approved after some slight corrections had been made. Bolte presented the following supplementary petition from the business houses which furnished the quarantine station with food supplies when several writs of habeas corpus were pending before the Supreme Court more than a year ago:

Honolulu, H. I., April 6th, 1900.

SUPPLEMENTARY PETITION.

To the Members of the Council of State, Honolulu.
Gentlemen:—This Supplementary Petition of the undersigned shows that the goods mentioned in the bills accompanying the first petition of March 20th were bought by Mr. C. B. Reynolds for account and by order of the Board of Health and a Certificate to this effect is hereto attached.

The bills amount to as follows:
H. Hackfeld & Co., Ltd. \$ 930 80
Lewis & Co. 69 43
Metropolitan Meat Co. 988 41
Wing Wo Tai & Co. 67 40
Husace & Co. 321 00

Total \$2,418 04
The old principle that every master is responsible for the acts of his servants should be applied in this case and we therefore respectfully request again that the sum of \$2,418.04 be appropriated.

Respectfully submitted,
H. HACKFELD & CO., Ltd.,
W. Wolters, Director.
LEWIS & CO.
METROPOLITAN MEAT CO.,
By G. J. Waller, Mgr.
HUSTACE & CO., Ltd.,
Per C. Clark.
WING WO TAI CO.,
Per Lan Yin.

This is to certify that the goods as per itemized bills rendered amount-

ing as follows were purchased by me between December, 1898, to March 8, 1899, for account of the Board of Health according to orders received from Mr. W. O. Smith, President of the Board of Health at that time.

Honolulu, H. I., April 2nd, 1900.

C. B. REYNOLDS.

Executive Officer, Board of Health.

Kauikou moved that the petition be referred to the Executive Council. Gonsalves moved the bill be laid on the table to be considered under "unpaid bills." Allen seconded Mr. Kauikou's motion and the same was carried.

Correspondence Wanted.

Gear presented the following resolution: Resolved, That the Council of State request that the Executive do lay before them the correspondence with President McKinley relating to the appointment of a Court of Claims.

A. V. GEAR,
Councillor.

The author of the resolution said the correspondence had never been made public and he thought it might have some weight in settling the many rumors regarding the personnel of the Court of Claims. He moved the resolution be adopted, and Isenberg seconded the motion, which was adopted. Gear, on behalf of the Committee on Interior, reported orally that it had received a communication from the Secretary of the Board of Health, which gave the lists of purchases made by tender through advertising and those which had been bought without such a procedure during the past six months. The communication stated that out of a total of \$38,000 paid on six months prior to the outbreak of plague, some \$8,716 in purchases were purchased without tender, while some \$29,000 were purchased by tender. Under these circumstances the Councillor thought that the Board of Health hardly needed a purchasing agent.

Bonded Warehouse.

Gear, for the Committee on Department of Interior, reported upon the bonded warehouse for Hilo. He had asked some of the parties interested in having the building erected what the cost would be. He received a letter from one firm, endorsed by another, having extensive business interests in Hilo, in which it was estimated that a brick building, similar to the one at Kahului, would cost \$8,000.

Jones moved that the report be laid on the table and taken up with Bill 4. Carried.

Cooper Renders Report.

Cooper read a report upon the towage matter which was referred to him a few days ago. His opinion was that there was no law which would prohibit the local Government from continuing its work in towing vessels in and out of the harbor.

Jones moved that the report be laid on the table and taken up with sections 2, 3, 4, 5 and 6 of Act 2. Carried. Cooper also read a lengthy opinion in regard to the proposition to erect a gasoline power generator for electric light at the Nuuanu station, to cost \$12,000. The point at issue was whether it would interfere with the franchise of the Hawaiian Electric Company. The Attorney General said the Government had no power to lease current by its own works, but under the police regulations it had the right to supply lights upon the public streets. Therefore he was of the opinion the Government had the right to install the plant.

Isenberg moved the report be accepted and laid on the table for consideration with bill 2.

Sewage Steamer.

Line 159, gasoline power plant, for electric light station, Nuuanu, \$12,000. Passed.

Line 177, purchase of one steam vessel for towing sewage scows, \$20,000. Passed.

Line 178, running expenses for same, \$8,000.

Kennedy thought if the government intended purchasing a new steam vessel, the old one, "Eleu," ought to be utilized for towing the sewage scows. Young felt that a new boat should be at the beck and call for the Board of Health on all occasions. Isenberg was in favor of purchasing a new tug for harbor service, and turning the old one over to the Board of Health. If the government intended to compete with private business in this line, of carrying freight between the islands with government supplies, then it ought to open up private butcher shops and grocery stores.

Jones moved that the two items be referred to the Department of Interior Committee.

Robertson moved to strike the items out of the bill. He did not see the use of purchasing a vessel for towing sewage scows when there would be no sewage to tow, and objected to the government entering into the business of carrying freight against the regular freight carriers.

Young understood that even after the sewer system was all in, there would still be cesspools to be emptied.

Achi felt that it was all right for the government to go into business for itself when people tried to squeeze it out of certain lines of work. He moved to amend the item by adding the words "for the use of the Board of Health." Gonsalves seconded the motion.

President Dole was in the act of putting the motion, with the amendment, when Robertson moved that the items be struck out of the bill. The motion to insert additional words, was carried.

A question then arose as to whether \$8,000 would be sufficient for the expenses of the vessel for two years. Gear reminded the Council there was an additional \$10,000 asked by the Department of Interior in Act 4 for this purpose.

Gear moved to amend line 178 by increasing the amount from \$8,000 to \$19,800. The motion was lost.

The Council then passed both items, line 177 for \$20,000, and line 178 for \$8,000.

The Secretary read the preamble to Act 3, including sections 1, 2, 3, 4, 5 and 6. Robertson objected to the bill being read until the grand and sub-totals had been figured up anew, and moved that the bill be referred to the Finance Committee for that purpose. The committee will give its attention to this work this morning.

Ka-ne moved that the Pendergast claims amounting to \$295.75 be taken up. Passed.

Bolte moved that two lines be inserted as lines 151 and 152, Act 2, for the appointment of cantoneers, one for

the Fall road at the summit at \$720, and two for the road leading to school house at \$150. Gear thought if cantoneers were appointed for one road there would be a call from all over the islands for similar appointments. There was \$527,000 at the disposal of the Minister of Finance for road improvements and he felt that ought to be sufficient.

Upon motion, the items were inserted and passed.

Letters to Washington.

Jones asked for the correspondence between President Dole and President McKinley. Minister Mott-Smith then read the letter of President Dole to President McKinley dated January 23d. The letter detailed the history of the Chinatown fire of January 20th, stating that before the accident, the Board of Health intended burning Chinatown by sections. The people were rendered homeless and were quarantined in camps. He felt it was time to provide machinery for the settling of claims which might be presented for losses and to appropriate funds for relief, etc. The Executive Council voted that the President write to President McKinley for authority to appoint a Court of Claims consisting of five persons and that the local government be authorized to spend \$500,000 in payment of these claims when adjudicated.

In answer to this letter, a telegram was received from Secretary Hay, dated Washington, February 9th, addressed to President Dole, stating, "The President approves the appointment of the Court of Claims to consider losses caused by the burning of Chinatown, and to make awards and judgments on such losses to a board of appraisers appointed by the Council of State in conformity with the Hawaiian laws."

A letter, signed by Secretary Hay, confirming the telegram was received later. "This comprises all the correspondence, except a subsequent letter which was sent asking for enlargement of the powers of the Court of Claims."

Jones Asks Questions.

Councillor Jones referred to an open letter of Councillor Robertson in an evening paper, and referred to the author as the paid attorney of the Court of Claims. Jones asked what was the policy of the Executive in regard to the Court of Claims appointments and powers, and the payment or settlement of these claims.

Robertson denied he was in the employ of the Court of Claims, but on the contrary was the attorney for the Board of Health.

President Dole: "The policy of the government is to pay all legal claims."

Cooper: "I think much of the discussion on the streets and in the newspapers has been at variance with the real facts, on account of a misunderstanding. At the time of the fire in Chinatown there was absolutely no redress for anyone who had suffered by the action of the Board of Health. The only Court of Claims then was the Supreme Court of our country, but its authority was limited; it had no authority to try any cases of tort. A tribunal to adjudicate any legal claim which any individual might have, was a necessity. It was not thought wise to ask that the jurisdiction of the Supreme or Circuit Courts be extended to take in these claims. That gave rise to the first suggestion of a Court of Claims to be established for this express purpose. You can readily observe that the reply which we received from the President was not a complete one, but so far as it did go, the President was authorized to act on the authority given."

"There was certainly authority for the establishment of the Court of Claims to adjudicate upon these losses, and for the expressed rules and enunciated principles set forth in the order of President Dole lately published. "The United States gives it exclusive jurisdiction, and it is the only court which can try these claims. The Legislature may review, to a certain extent, the final judgment of this Court. I take it that when the claims are presented to the Court of Claims that one or two test cases will decide a large number of cases. If the cases are presented to the Court it will take a long time to decide them. It looks to me as if it was a large contract. The Finance Committee suggests that the commission may sit without pay. I doubt very much if any body of gentlemen will sit all day and perhaps half the nights deciding claims, with no compensation."

"As to the personnel of the Court of Claims, it seems to me that the questions before the Court will be questions of law, and quite hard ones for others than lawyers to answer. The claims will need a careful scrutiny. I think the appointment of a court of lawyers was a sound thing under the circumstances. "The proclamation of President Dole limits these cases to the legal responsibility of the Government. They are to be governed in their decisions by established principles of law. The main point at issue is not the question of the value of the claims, but it is a question of the legal responsibility of the Government which must be decided."

A Few Questions.

Jones: "Supposing now that it is found by this Court of Claims that the Board of Health has acted legally all the way through. Is it the policy of the Government to refuse all claims, or any claims?"

Cooper: "That is the limit of the Court."

Jones: "I ask what is the policy of the Executive Council? If it is found by the Court that the Board has acted legally all through, will any of these claims be refused?"

Cooper: "I don't think it is the policy of the Executive Council to change the laws. We have given an opportunity for claims to be presented to the Court to ascertain the legal liability of the Government. If the Court finds there is no liability to the Government, then that is the policy of the Government."

Gear: "Has any action been taken yet to pay the sufferers of the fire?"

Cooper: "Nothing has been done except to establish the Court of Claims—the launching of the Court to determine the legal liability of the claims." Achi: "If the Board of Health went beyond their power, is the Court of Claims going to be liable for that?"

Cooper: "This must be determined by law."

Achi: "Then you mean to say that the Government is liable for any illegal act of the Board of Health?"

PRESIDENT DOLE REPLIES TO THE CHAMBER OF COMMERCE

Executive Chamber, Honolulu, H. I., April 6, 1899.

To the Chamber of Commerce.

Gentlemen: I have received your letter of April 4th, embodying a resolution of the Chamber "that the Court of Claims as at present constituted by appointment made by President Dole, does not meet with the approval or the endorsement of this Chamber, which is disappointed that the commercial community of this city should be entirely unrepresented in that Court. The Chamber fully recognizes the importance of the Court being presided over by some one of experience in the application and practice of law, but fails to understand the reasons which seem to me necessary that the whole Court should consist of members of the legal profession."

The regular court for the adjudication of claims against the Government is the Supreme Court (Civil Laws, section 1530). On account of the great mass of work which the investigation and adjudication of the Chinatown losses must necessarily involve, which would seriously interfere with the regular judicial work of the Supreme Court, it was deemed advisable to apply to President McKinley for authority to create a special court for that purpose.

There is reason to believe that the idea that the body authorized by President McKinley for the investigation and adjudication of Chinatown losses was to be merely a board of appraisers, or of arbitrators, to estimate the amount of such losses and report their conclusions to the Council of State.

The action of the Chamber of Commerce, as well as that of the Chinese and Japanese residents who have asked to be represented on such a board, tends to confirm this supposition. But inasmuch as the dispatch from the Federal Executive conveying the authority for the appointment of a body of persons to investigate such losses provides that such body may make judgments to be paid out of appropriations made by the Council of State, it follows that the intention of the dispatch was that a court of law be created which should adjudicate claims for losses upon the principles of law applicable thereto.

It is obvious that the dispatch in question authorizes the trial of claims based on tort against the Government, a class of claims not recognized by the Hawaiian statutes as admissible. Beyond this exception no construction of the dispatch can authorize the Executive to permit the waiver of any rule or principle of Hawaiian law. It is evident that each claim presented for trial will raise questions of law as well as questions of fact, it was my duty, under my oath of office, to provide a court which should as far as possible be competent to conduct the trial of all claims that might be submitted to it, according to the legal principles applicable to all Hawaiian courts of law. This requirement, however, would not necessarily preclude the admission of one or two laymen.

If these views are correct, I fall to see the significance of the protests embodied in the resolution of the Chamber of Commerce, for if the authority given by President McKinley requires a court of law that shall adjudicate the claims presented, according to legal principles, no one can ask more than that the Court shall be competent and impartial. Anglo-Saxon legislation has for centuries endeavored to eliminate the principle of representation from courts and juries in the interest of justice. The principle of representation does not apply any more to the Court of Claims than it applies to the Supreme Court or other courts of the country.

As to the question of laymen on the Court, there are no goods or other property in sight to be appraised; estimates of losses must be made upon evidence alone.

Recognizing fully the right of criticism, I desire to acknowledge the courteous language of your resolution of protest.

I am, very sincerely, yours,

SANFORD B. DOLE.

Cooper: "In this case, yes; because the Board is the agent of the Government. If there have been any malicious acts of the Board, then probably the individual members of the Board will be liable. If the Board acted in good faith, and made a mistake, they are not liable to any one."

Bill Laid on Table.

Jones: "I move the bill be laid on the table."

"I would like to ask if the claimants in these fires are not to file any claims. Is this the only Court the claimants can apply to?"

Cooper: "Yes, except the Legislature. It is not compulsory for any person to present his claims to the Court."

Ka-ne: "Then I fall to see the necessity for the appropriation."

Jones again moved that the bill be laid on the table. It was seconded by two or three members, and was carried unanimously.

Special Act 7 was killed for the time being.

Adjourned at 5:10.

THE QUESTIONS RAISED.

Mr. Castle on the Court of Claims and Its Work.

Editor Advertiser: Considerable irritation as well as misunderstanding seems to exist relative to the so-called Court of Claims. It is important that the matter should be clearly placed before the community, both in its legal aspects, as well as the actual position of affairs. Taking the latter first. The Government probably faced an embarrassing position. If suits were brought in the constituted judicial tribunals, they would simply be overwhelmed with work and could not possibly clear up the calendar for many years. That is, provided suits would lie. There was no authority to establish any other tribunal and the question of liability in any event did not seem clear. There could be no doubt of the good policy of paying at least something for the great losses suffered by individuals. An appeal to Washington brought the telegraphic reply, which has been published, that the President approves of the appointment of five persons to take evidence of losses, and to make awards and judgments to be paid out of appropriations made by Hawaiian Council of State in conformity with Hawaiian law.

This seemed to clear the way for the appointment of a commission to pass on the question of the amount of losses, leaving it to the Council of State to make provision for paying such amounts. It is to be supposed that the five gentlemen named are to act as a sort of jury to hear and decide the question of amount of losses, and perhaps to settle the legal question of the liability of the Government. The latter is most important and certainly requires able men well read in the law. If the only thing to be determined is the actual loss suffered, probably business men of experience would do that quite as well, perhaps better, than lawyers. But they would probably not want the fixing of their compensation at \$5 per day with the condition that anything less than four hours is not to count.

The time has now come to pay the piper, and everybody, especially the unfortunate people who have lost all their property in order that the whole community might receive benefits, wants to know who is to pay. This is a very vital question for several reasons. The loss is immense, probably amounting in the first instance to

\$2,000,000 or more. If the damages to follow are also to be considered, the bill will be enormously swelled. If losses are to be settled, what include consequential damages? He who has lost his store, goods and dwelling will also lose months of business and income and perhaps have to pay rent to save his locality. If it is decided that the community must pay, who shall that mean? Hawaii as a country or the future municipality of Honolulu? For by the time a final decision is reached we may be an incorporated city. If the Government (of today) takes the position that it is not liable, perhaps the individual members of the Board of Health will pay. Certainly if they have overstepped the lines and have destroyed property which was not unsanitary, there is plenty of authority to hold them personally responsible. It is no answer for them to say that they are mere agents. The harsh and repulsive doctrines inculcated from our common law ancestors will hold them to the consequences of an innocent error.

The Government holds that it can not be sued for tort, nor even on contract unless the unfortunate plaintiff can fulfill all of the requirements of the Act of 1895, which was passed to prevent suits for damages arising out of political differences. If, however, that barrier could be overcome in a suit quasi contract, for instance, then the Government says it is not liable anyway on the law. That those who have lost must pocket their losses and take a new start, for no liability attaches when the public takes and destroys private property for sanitary reasons.

There are plenty of cases to sustain that view, but they will not long remain law. They are founded on wrong principles, and most of them actually cite, as authority, a class of cases which have arisen out of destruction of buildings to arrest the progress of fires. In these cases the reasoning has been, that as the building would have been burned anyway the owner suffers no loss if it is blown up instead of burnt up, and so the public will not pay. But the case of the sacrifice of a building to arrest the progress of plague stands on another basis. It is a plain taking of private property for the public benefit and although not generally classed as within the rules of eminent domain, where the taking can not be made without compensation, yet it is hard to distinguish on reasonable and logical grounds. It is brutal and of a past age to compel a private loss for a public benefit, where there is no fault on the part of the private owner. It is not likely, if indeed it is the law today, that it will long remain so. There is abundance of good authority to show that the change is soon coming, if it is not now at hand, when all of the people will suffer, and not a few individuals only, for the common good.

Who will say that the many poor people who have not only died of the plague, but whose property has been destroyed and their families made penniless, were at fault and so deserved their terrible misfortune. It is quite as logical and correct to say that the Government introduced the plague, because it owns the wharves and harbor and could have refused to allow its introduction!

I have said nothing of policy; it speaks for itself. The matter in the hands of the Court of Claims is of the greatest importance and should receive grave consideration from us all. Refusing our appropriation looks like haste, not like careful judgment.

W. R. CASTLE.

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HAWAIIAN GAZETTE

SEMI-WEEKLY.
1-SHED TUESDAYS AND FRIDAYS
WEDNESDAY
TUESDAY, APRIL 10, 1900.

The Delago bay award is unpopular in London because Portugal can pay it without making a British loan.

The hints of General Joubert's "cowardice" are now explained. The old warrior went to Pretoria, not from fear of the British, but because he was stricken with mortal illness. His death is one of the swift fatalities, lately occurring, which are bringing the Boer republics to their end.

The first squad of Boer prisoners has started for St. Helena. Their captivities in arms threaten, in retaliation, to send British prisoners to the fever swamps of Koomatipoort. Unfortunately for the success of the plan, the British are not unlikely to take Koomatipoort whenever they see fit to send an expedition there.

The Court of Claims will be held in a state of suspended animation until the Council of State makes up its mind what to do about it. This policy sets aside Mr. Magoon's generous proposal to pay the expenses of the Court and leaves claimants out in the cold. How long the latter will stay there amicably presents an interesting and by no means easy problem.

The Queen's message to the widow of General Joubert and the honors paid to the memory of the old warrior by Lord Roberts and Rudyard Kipling are tactful measures to soften the asperities of the war. Their effect will be what is desired if they convince the Boers that there is no element of personal hostility among the British against the "embattled farmers" of the Transvaal and that fair play may easily follow peace.

The Duke de la Torre, a Spanish grandee who is visiting America, notes with surprise that there is no hatred of Spain in that country. He would be surprised still more if he knew that whatever ill-opinion was ever visited upon Spain has now turned against her late colonials. The most unpopular "patriots" on the American part of the footstool are the Porto Ricans, the Cubans and the Tagals. Most Americans wish Spain had them back.

Admiral Sampson pays a high compliment to the new battleship Kearsarge and says that no armor could withstand the simultaneous discharge of the four guns in her superimposed turrets. He does not add that the turrets might not withstand it either nor the men in them. The superimposed turret idea is looked upon with grave doubts by many expert naval fighting men at home and abroad, though the American naval constructors put abundant faith in it.

The strength of Queen Victoria is not quite great enough to permit her to visit Australia, but she has gone to Ireland in quite a youthful and jocund spirit. Evidently, since the British victories, her physical condition has improved. She says, among other sprightly things, that she does not intend to let Mr. Krueger kill her. For a woman of her age the way she bears up under the weight of public affairs and cheerfully goes about taking part in oppressive public functions, is one of her many titles to historical eminence.

Grover Cleveland has resumed his devotion to the Nicaragua canal. His last message and the two before that said nothing about the canal, owing, possibly, to the hard times and the national deficits caused by his low tariff Act, which made public economy indispensable. But Cleveland's heart was true to Polk, and now that the sun of Republican prosperity has thawed the financial ice, he is out for the canal in characteristic phrase. But he does not want it fortified. Mr. Cleveland has made up his mind that the republic has a mission of "altruism"—a word he scribbles lovingly more than once—and that an unfortified canal would be altruistic in a high degree.

According to Professor Lyons the growing scarcity of artesian water is due in part to the prodigal use of it by rice plantation Chinamen. What water they draw from wells on this island, and which evaporates, would fill a reservoir twenty feet deep and a quarter of a mile across. With our growth in population it may become necessary to conserve the artesian supply by limiting the area of rice and taro patches—a proceeding which might be legally carried out under the powers of the Board of Health to abate disease-breeding spots, the rice and taro swamps being recognized sources of malaria. Such a policy would not only prevent drouths at the drinking fountain but would abate the mosquito pest. The unpleasant feature of it is, of course, the effect upon the supply and price of staples which are in great demand.

IS THE BUBONIC PLAGUE REAL?

The extraordinary story printed in the East about the plague in Hawaii, according to the Board of Health of falsely diagnosing our bubonic cases, appears to be a part of the San Francisco scheme to protect that city from the effects of the plague scare. Not only does San Francisco want it understood that it has no plague but that ports in communication with it are pestiferous. We can quite understand that attitude, but it by no means warrants any one in saying that the principal physicians and the United States medical representative in Hawaii are knaves or fools, or that this port is in a position where to be logical it should abate the protective measures which have enabled it to keep up communication with the commercial world or suspend the radical acts of sanitation which are rapidly and surely removing the sources of pestilence.

It is false and puerile to say that we are not having an experience with the true plague. To be sure, there have been doubting Thomases among us, a few of them medical men, and some, apparently, writers for the Coast press; but such of the once incredulous doctors as have attended autopsies and examined cultures under the microscope, as freely invited to do by the Board of Health, now acknowledge the presence of the Asiatic scourge. In the various patients said to be infected, and whose names are chiefly on the dead roll, the external and internal bubonic signs were both apparent. Much as we might like, on various accounts, to evade these facts, we cannot do so and as may be added for a solace to those who look upon expediency before moral duty, it would be useless to try.

Why useless? First because an attempt to conceal the truth—which would imply the suspension of special work against the plague—would draw out such public indignation from families who fear the malady on their own account, and want it vigorously fought, that the attempt would, in a short time, have to be given up. Secondly, the medical representative of the United States would not consent to be fooled. It is his business to know the facts and keep the Surgeon General of the United States apprised of them. Should he fail of this duty, some one would come to do it for him. Moreover, an attempt to hide the truth would cause an outcry from Mainland papers and in the end the precautions against Hawaii, among the ports of the world, might be made almost as obnoxious as a prohibitive tariff on our wares.

Honesty is the best policy—honesty with ourselves and with other people. Talking on the low plane of profit and loss, no other plan can be made to pay. The only thing we can do is to acknowledge the plague and try our best to stamp it out. We are succeeding in this line of action and should pursue it to the end. In the long run San Francisco may be sorry that it did not follow suit.

HAWAIIAN SHIP REGISTRY.

There will be little sympathy felt in California for the San Francisco pilots who are trying to keep Hawaiian ships out of American registry so as to line their pockets with Hawaiian fees. The San Francisco pilots, by common declaration of the California business men and newspapers, have been fattening far too long on their peculiar arts of piracy; and anything calculated to cut their incomes will be hailed as retributive justice. The moment these licensed buccaners began to work against Hawaiian shipping they raised up powerful friends in its behalf; and these, we assume, will be quick to sustain the hands of Senator Perkins, who is sponsor for the shipping amendment to the Culion bill of which the pilots complain.

There are twenty authorized pilots in the employ of the State at San Francisco who collect for services, rendered and unrendered, about \$200,000 per annum, or an average of \$10,000 apiece, about 40 per cent of which they keep. For bringing a vessel into port they are entitled to full legal fees, although they take the option of giving rebates to particular owners and companies, whose aid they desire in enabling them to maintain their monopoly; while they collect half-fees from all vessels that enter or leave the harbor without pilots. Of these amounts they retain, as salaries, compensation after rebates and expenses have been paid, the sum of \$79,717, or \$329.88 per month per capita. When it is understood that the master of a coasting vessel, who must earn all he gets, is never paid more than \$125 a month, the "good thing" the pilots have is easily seen. They also have the right to sell their jobs to other qualified men and often get from \$3,000 to \$6,000 for them.

For years the business men of San Francisco have been at war with these pilots because of the commerce their extraordinary charges drive elsewhere. It has been pointed out time and again that tugboat captains, who know the harbor as well as the pilots, could combine towing and pilotage in one moderate bill. The insurance men are willing that they should and they make no difference in rates between vessels which hire pilots and those which do not. During several legislative sessions the business men of San Francisco have tried to cut down the pilotage expenses seventy-five per cent, but the pilots hired a powerful lobby and by working on rural members defeated them.

We make these facts clear simply to show that the friends of the Perkins amendment have nothing to fear from the avaricious sea-guides of the Golden Gate. The pilots cannot run Congress as they do the California Legislature; before the national body the San Francisco and Hawaiian commercial interests will get first hearing. And furthermore, if Hawaii is admitted as a Territory, it will be difficult to exclude any property under the Hawaiian flag, whether afloat or ashore, from the benefits of American law.

The merchants are not unjust in asking for monthly settlements. Since the plague began, the banks have limited loans and have made it impossible in many cases for merchants to extend more credit than is usual during good times elsewhere. Quarterly settlements, especially of retail accounts, impose a burden upon merchants which is hard to bear. There is really no reason why purchasers, who can pay at all, should ask for them; and as for those who cannot or do not intend to pay, they have no right to seek favors.

COURT OF CLAIMS MUDDLE.

The action of the Council of State in tabling the appropriation bill which provided for the expenses of the Court of Claims will probably dissolve that body. By a two-thirds vote the bill could be taken from the table, but as the motion to put it there was unanimous, the chances of rescue may be considered nil. Rumor has it that one or two members of the Court are willing to serve without compensation, but the whole Court is not—one member having already resigned—and clerks, stenographers and pleaders must be paid. Hence the conclusion that the Court of Claims, as at present constituted, is done for.

What next? Mr. Achi's motion, now before the Council of State, is as follows:

Resolved, That it is the sense of the Council of State that the Executive orders of the President, published in regard to the Court of Claims, are unfair and unjust and must be changed. This resolution was to have been discussed yesterday but it was not reached. It may be expected to come up at any time. Should it pass, the way would seem to be prepared for the Executive to begin all over again, issuing a new set of instructions and appointing a Court with the composition of which the Council of State could be satisfied.

The statement that more fever occurs in the artesian district than in the area supplied by Nuuanu valley reservoir surface water, does not necessarily reflect upon the quality of the flowing well supply. It is more likely due to the fact that the artesian district is closer to the rice swamps where so much malarial and other fever has its origin. When we get rid of these great quagmires which are alternately flooded or exposed, rotting, to the sun, the spectre of malaria will cease to go with the well-borer on his rounds.

HAWAIIAN CHINESE.

Congress Men Shut Them Out of the States.

WASHINGTON, March 23.—The danger of an influx of Chinese immigrants from the Hawaiian Islands into the United States upon the passage of the pending Hawaiian bill will probably be averted by the vigilance of Representative Kinkaid. As the bill passed the Senate it provided that the Chinese in the Hawaiian Islands when the act takes effect, may within one year thereafter obtain certificates of residence as required by the act to prohibit the coming of Chinese to the United States, approved May 5, 1892, and amended November 3, 1893. But for one year they shall not be deemed to be unlawfully in the United States if found without such certificates.

At the present time there are about 25,000 Chinese in the islands. To admit into a law the Hawaiian bill as it passed the Senate would grant to these Chinese full rights of immigration into the United States, a privilege of which they would undoubtedly avail themselves very freely. Representative Kinkaid is very anxious to secure an amendment to the bill to shut out further immigration of Chinese labor. He has secured the consent of Chairman Knox of the Committee on Territories, who has charge of the Hawaiian bill, to the recommendation of an amendment applying to the Hawaiian Islands the exclusion law in operation against Chinese from all other parts of the world. This bill passes the Chinese in Hawaii upon the same basis as those living in China or Mexico or in Canada, and will safeguard labor against ruinous competition.

Archibald Forbes Dead.

LIVERPOOL, March 29.—Archibald Forbes, the well known war correspondent, died in this city last night. He had been in bad health for some years, and during the last six months had been unable to do anything owing to complications arising from rheumatism and paralysis. His wife was a Miss Meigs, daughter of the late quartermaster general of the United States, General M. C. Meigs.

The Supreme Court Saturday morning adjourned sine die, all cases not yet heard being continued until next term, subject, however, to special agreement for hearing in vacation.

"SUGAR FIRM" Unchanged.

The Latest Advice From San Francisco, New York, and the European Markets.

Williams, Dimond & Co.'s latest advice relative to sugar dated at San Francisco March 31, are furnished through the courtesy of F. A. Schaefer & Co., and are as follows:

SUGAR—No changes in the local market nor for export to Honolulu since March 23.

BASIS—23d, cost and freight sale 2100 tons at 4.45c; 900 tons at 4.7-16c; 24th, cost and freight sale 250 tons at 4.435c; 26th, 4800 tons at 4.45c; 27th, spot sale 700 tons, 4.4375c; cost and freight sale 650 tons, 4.45c; 3000 tons, 4.48c; 28th, 450 tons, 4.48c; 29th-30th, no sales reported, making net basis March 30, New York 4.48c; San Francisco 4.105c.

LONDON BEETS—23d-30th, 10s 1-1-2d.

DRY GRANULATED—In New York, no change reported since the 19th; still quoted at 5c, equal to 4.95c net.

EASTERN AND FOREIGN MARKETS—Our latest mail advices, under date of March 26th, report market steady and firm, but offerings very light. The advance in price and large sales, are attributed to several causes, among others the disappointment in not receiving larger supplies from Cuba, which has advanced sellers' ideas there, also the advance and steady price of beets on the Continent. European market is supposed to have been somewhat affected by the recent advances, indicating that the syndicate of German refiners was an accomplished fact, and although its operations do not begin until September 30th, it has apparently caused considerable buying in Europe, which may possibly be the reason for the recent advance.

STATISTICAL POSITION OF SUGARS, according to Willett & Gray, March 22d, total stock, United States four ports, 145,682 tons against 190,812 last year. Six principal ports Cuba, March 21st, 113,000 tons against 66,500 last year. Total estimated cost and consumption of Cuba, January 1st to March 31st, 64,300 tons against 74,700 last year; total supplies estimated this year at 403,000 tons against 349,000 last year. Total stock in all principal countries latest news dates, 2,373,682 tons against 2,338,067, excess of last year 35,615 tons.

POLITICAL SITUATION—Nothing accomplished on the Porto Rican tariff question, although it is constantly before Congress, and we think definite action will soon be taken and it looks probable that they will establish a duty of 15 per cent of the rates under the Dingley tariff bill.

Willett & Gray's circular of March 22 contains the following general sugar statistics: This week's summary of the statistical position shows stocks in the United States and Cuba together of 258,682 tons, against 249,450 tons last week and 234,945 tons, at even date of March 1st last year. The excess of stock is 35,615 tons, against an excess of 42,904 tons last week, and an excess of 56,023 tons December 28th, 1899.

HAMBURG—7750 tons of raw sugar to America from Hamburg and Bremen this week; 15,000 tons engagements. No refined shipped.

EUROPE—Stocks in Europe, 2,115,000 tons, against 2,112,000 tons last week, and 2,080,755 tons last year. Total stocks of Europe and America, 2,373,682 tons, against 2,361,450 tons last week, and 2,338,067 tons last year at the same uneven date, and 2,334,945 tons, at even date of March 1st last year. The excess of stock is 35,615 tons, against an excess of 42,904 tons last week, and an excess of 56,023 tons December 28th, 1899.

THE SPRING PLANTING CROP—The spring planting crop is suffering from drought, but a considerable deficiency is accounted for by the fact that planters have found it more profitable this season to sell their cane for seed than to grind it. While this shortens the present crop it will enlarge the next crop. The poorer results are also shown in the reduction of central grinding to 109, against 120 last week, and 112 last year, giving only 15,500 tons receipts for the week against 18,500 tons last week and 14,900 tons for corresponding week last year.

In view of these facts we are obliged to reduce our Cuba crop estimate to 35,000 tons, with the proviso of a further reduction to a possible 35,000 tons crop in the end unless some improving features intervene. Another notable feature of the sugar situation which is of importance is the fact that the short domestic crop of cane sugars in Louisiana is virtually already exhausted, and that market must now draw for its raw sugars mainly on the European beet sugar markets until the new Louisiana crop is available. In consideration of the fact that refining capacity in New Orleans is largely increased in order to give greater supplies of refined to the country west of the Mississippi river, that market from now on must receive greater consideration in the movements of the sugar world. We give every week the figures for New Orleans as well as San Francisco, and such should not be overlooked.

SUGAR IN WALL STREET.—The notable feature up there has been a general advance in all stocks, due to urgent demand from an accumulated short interest rather than to any considerable popular demand from the public. Sugar stock participated to the extent of a rise to \$108 3/4 shares, and such should not be overlooked.

"He is Wise Who Talks But Little."

This is only a half truth. If wise men had held their tongues, we should know nothing about the circulation of the blood. If it were not for this advertisement you might never know that Hood's Sarsaparilla is the greatest medicine in the world to purify and enrich your blood, create an appetite, give you strength and steady nerves.

Impure Blood—"My complexion was bad. Hood's Sarsaparilla did much good by purifying my blood. My skin is now clear." Annie D. McCoy, Walsworth, Pa.

Hood's Sarsaparilla
Never Disappoints.

Hood's Pills cure liver bile, the non-irritating and only cathartic to take with Hood's Sarsaparilla.

This rise from 95 1/4 seems about enough under prevailing conditions of the trade and the short interests yet uncovered may have things their way again for a while.

SUGAR FOR INVESTMENT.—Because sugar stock is a good investment at or below par, it is not necessary to climb for it when the shorts put it up on themselves. There is plenty of time yet to buy for investment in all probability. Many sales, however, have been taken and put away this week even on the advance, as shown by the "tape."

COFFEE.—The world's visible supply Mar. 1 was 6,411,330 bags, against 6,561,767 bags last year. Receipts for week ending March 17th, 65,000 bags, against 73,000 bags last year. Stocks in United States March 20th, 1,256,155 bags Brazil, against 1,283,284 bags last year. Stocks in United States, other kinds, March 19th, 308,829 bags, against 275,875 bags last year. United States visible is 1,237,993 bags, against 1,312,385 bags last year. Market is very dull, closing with March contracts 6.80, to 6.90, and without change in green and roasted coffees.

PORTO RICO TARIFF BILL.—The majority party in the Senate have agreed to pass this tariff bill as a separate measure and not attach it to the bill providing for the Government of the island. The indications now are that the tariff bill will be voted on by the Senate early next week, and that it will pass as it came from the House, providing for the assessment of 15 per cent of the present rates of duties, in which case it would not be necessary to send it to a conference committee of the two Houses, but it would go to the President direct and be signed by him at once and be put in force immediately. The effect in the sugar trade of the passage of this bill will be the putting on the market to be sold for prompt shipment, all the sugar made this far this season and held in the island pending this legislation, the quantity now amounting to about 15,000 or 20,000 tons. Sellers will demand full prices for these sugars, but buyers will ask for a reduction in view of the saving of duties, but, as cane sugars are wanted and as there will be some competition for these desirable supplies, it is likely that but little concession will be necessary in making sales.

PORTO RICO TARIFF—JUDICIAL DECISION.—A decision has been rendered by the United States Circuit Court denying the application made by importers for an injunction to restrain the Collector of Customs from assessing duties on merchandise imported from Porto Rico, the importers claiming that the island is a part of the United States. The decision states that "complaints have an adequate, summary and expeditious remedy at law under the Customs Administrative Act." This decision sustains the decision rendered by the Board of General Appraisers, adversely, to the protest of importers against the assessment of duties on Porto Rico sugars, which were brought into the United States since the ratification of the treaty with Spain. (See our weekly paper of February 15th, 1900.)

LOUISIANA CROP.—The weather during the week has been favorable for the new crop. The temperature fell considerably, but was not cold enough to do any harm. At New Orleans, lowest temperature, 40; highest temperature, 76.

Rapides, March 17th, 1900.—The cane crop in this vicinity is considered safe so far as cold is concerned. The planting was completed some two weeks since. The quality of the seed cane was very fine, considerably above the average. A large acreage is in cane this year, and we hope for a big crop.

"CUPID" AT THE COAST.

The Chronicle Calls Him the Social Adonis of Hawaii.

Prince "Cupid" J. Kalaniana'ole, the Adonis of the social beaux of Hawaii, arrived here yesterday evening in the steamship Australia from Honolulu, accompanied by his wife of a few months, and took apartments at the Palace hotel, registering simply and democratically "Mr. and Mrs. J. Kalaniana'ole, Honolulu." He is a younger brother of Prince David, who arrived here several months ago, and, with him, was sent to school to the Queen Dowager of the late King, who is now in the East. Prince "Cupid" is apparently about 22 years of age. He has the build of an ideal variety half-back or tackle in the line of medium height, broad of shoulder, deep of chest and heavy, but his every movement and his notably graceful poses are all very suggestive of a leisurely tropical existence, without quick action or physical exertion. His face is rather inclined to be fat, and with his heavy, drooping mustaches and laughing eyes, gives the impression that this "Cupid" is not blind to the pleasures of existence.

When he first came into his fortune he spent his money like a prince and even lost it like a good fellow. Prince "Cupid" says that he is making an extended pleasure trip, the main object of which is the Paris Exposition. He expects to stay here about a week. From Paris he will go on around the world, making the circuit in the opposite direction from that taken by his brother, Prince David. —Chronicle.

Howard Gould is about to build a country palace on Long Island.

MAUI DOINGS

Complaints About Poor Mail Service.

The Latest Cane Fire at Spreckelsville -- An Incipient Famine. Wailuku Water Works.

The following are extracts from the Maui News:

Over a week has elapsed since Maui has received a mail from Honolulu. Once before the News had to refer to the matter editorially and ask for a more efficient mail service. If the inter-island boats cannot perform the required service, perhaps the Malolo could be secured. The mullet don't bite any more like they did last fall at Molokai, and those that do bite didn't have opium in their mouths. It is said that the owners of the Malolo have offered to sell her to the government and perhaps it would be a good idea to buy her and set her to the task of carrying the mails.

Not Jealous of Honolulu.

The government has appropriated \$1,329,672 for public needs in Honolulu, and \$74,600 for Hilo. The Advertiser points out the discrepancy and generously pleads for Hilo.

The News wishes to join in this plea, so far as Hilo is concerned, because if possible more should be given to Hilo for her immediate needs. But the News would seriously regret to see one dollar taken off of the Honolulu appropriation. Every cent which was voted is needed to make Honolulu what she should be, the gate city, the garden city and the pride of the Hawaiian Islands.

Wailuku Water Works.

Practically all the pipe for the Wailuku waterworks has been strung, and the ditch is dug from the starting point at the intersection of Main street and Cemetery avenue for about two miles up the valley. Pipe laying began Thursday morning and has been completed from the starting point to the proposed reservoir site. Over sixty men have been at work this week, and more would have been employed if tools could have been secured.

Beef for Lahaina.

W. Decoto of Lahaina was over at Wailuku the early part of the week to secure beef for the hungry Lahaina people. It seems that they have had a regular supply of beef at a time at Lahaina, owing to the fact that the kula potatoes were tabu. Mr. Decoto was accompanied by his wife, and of course they dropped into the Maui News office to watch us edit.

Minor Notes.

Call us Judge now. We wish to make a pathetic appeal to the ladies of Wailuku. If you have any spare linen or cotton rags in your scrap bags, send them to the Maui News office. We need them.

With the raising of the quarantine at Lahaina and Hana, local trade and travel have commenced again, Kahului being the only tabu spot on the island.

Wanted, a drug store. There is not a better opening anywhere for a retail drug store than in Wailuku. We want one with an ice cream, soda and stationery attachment. We want one with a green light in one window and a red light in the other.

SPECKELSVILLE LETTER.

Advices From the Advertiser's Regular Correspondent.

MAUI, March 31.—The thirty-acre field of cane burned in the latest fire at the Speckelsville plantation was located near the mill. Report has it that the misfortune was caused by sparks from a locomotive. Since the second fire Hamakuaupo mill in addition to Pala is assisting the Speckelsville mill in grinding the damaged cane. At first it was thought that the loss from the big fire would be a considerable one, but now it is stated that nearly all the burnt cane will be ground and the loss will be comparatively speaking a trifling one. The three mills should grind at least 300 tons per every twenty-four hours. At that rate the estimated 5000 tons could be ground within three weeks, by working night as well as day and during Sundays. The greatest difficulty the plantation management has to contend with is to furnish sufficient means of transportation from the fields to the mills. Eighteen bullock carts have been hired in upper Makawao and Kula to add in this purpose. Speckelsville mill is now turning out 150 tons per diem.

The coroner's jury in the case of Akiona, the Chinaman said to have been killed by the bites of a dog set on him by Luna Harris, found that his death was caused by "certain injuries." Harris' trial was set for April 2nd before Judge Kalekale.

An incipient famine is in progress on Maui. There is a scarcity of flour, tea, oatmeal, barley, bran, etc. The arrival of the Orin Lurline is anxiously expected.

The only schools on Maui that will not enjoy the Easter vacation are those of Wailuku district and the two Kula schools.

The steamer Bloemfontein will sail for San Francisco this afternoon with mail and a cargo of sugar for the Coast.

Britons Ridicule Sheldon.

LONDON, March 31.—The Rev. Mr. Sheldon's issue of the Topeka Capital, as republished here, meets with more ridicule than anything else. The following comment on the enterprise, by the Globe, is a fair specimen: "The Journal is very like an ordinary American newspaper, only duller. It will be an evil day when the hysterical rubbish which passes as religion in America, and to a lesser degree in England, ever has a large following."

The French Cabinet narrowly escaped a vote of want of confidence on March 31 on the interpellation regarding the troubles at Martinique. The ministry is in further danger.

GENERAL JOUBERT IS DEAD AT PRETORIA

(Continued from Page 1.)

Daemolend and on the road running from Ladysmith towards the north. This is north of the line on which French cavalry have been operating, and the fact that the British general has returned to Bloemfontein seems to prove that his attempt to stop the progress of the Boer column was a failure.

The small British force that entered Ladysmith was forced to retreat hurriedly before a larger number of Boers, who may have been part of Olivier's command. Firing has been heard at Modderfont, which would seem to be near Modderfont, to the southwest of Bloemfontein. Possibly the Boer rear guard has been engaged there.

Boer Council of War.

NEW YORK, March 27.—A Sun cable from Bloemfontein says: The Boer commandos are assembling in great force at Kroonstad, where, it is said, a Boer council of war is being held.

A dispatch from Lourenço Marques says the steamship Gironne has arrived with a large contingent of foreign volunteers for the Boer army. Many Irishmen are in the contingent. Among the passengers is Michael Davitt, formerly member of Parliament for South Mayo, Ireland. Davitt says he is traveling for his health.

Krueger's Threat to Bombard.

LONDON, March 31.—The Bloemfontein correspondent of the Daily Chronicle telegraphing Thursday, March 29, says:

President Krueger's latest proclamation warns the women and children to leave Bloemfontein within five days, as he intends to bombard and destroy the city and to shoot the burghers whom he captures there.

"Vigorous measures have been taken by the British to harass marauding bands of Transvaal Boers. The latter are resorting to guerrilla methods, chiefly against Free States who refuse to join Krueger."

LONDON, March 31, 4:15 a. m.—The head of the army of Lord Roberts is now about twenty-one miles north of Bloemfontein. It occupies a cluster of hills won from the Boers after a stiff fight, in which the British lost seven officers and 100 men.

The Boers had been using these hills as a base for marauding bands that have been beating up the country adjacent to Bloemfontein for supplies, driving off cattle and forcing non-resident Free States into their ranks again. The enemy must have been in considerable force, as Lord Roberts sent 8,000 infantry and 3,000 cavalry against them.

Lord Roberts' progress to Pretoria will probably consist of such forward movements in which Boer positions will be attacked by a portion of the army advancing rapidly with wheel transport, the main body coming up as the railway is repaired.

Lord Roberts is stripping the forces in the minor spheres of operations of their wagons and transport animals in order to hasten the advance. This is understood to be the reason why he recalled Lord Methuen from Barkly West to Kimberley. Lord Roberts has to have Methuen's transport.

The reason why a hot chase was not made after Commander Olivier is that Lord Roberts did not wish to wear out the cavalry transport. General Buller lost 2,000 horses in the relief of Kimberley and the pursuit of General Cronje. Lord Roberts lost 3,000 transport cattle at Waterval Drift, and it is estimated that he has lost 4,000 other animals since the forward movement began on February 13.

The advance beyond Bloemfontein is through a bare country and the supply officers foresee an increasing difficulty in providing for a great army moving along a single line of railway, even when the latter is working smoothly and with ample rolling stock.

Relief Column Repulsed.

LONDON, March 23.—The Mafeking relief column has been repulsed. The Boers drove back Colonel Plumer's advance guard and then attacked the British camp. The English were compelled to retire, and succor must now come from the troops sent out from Kimberley.

Roberts' Latest Dispatches.

LONDON, March 31, 11:45 a. m.—(Afternoon Service.)—The War Office has posted the following dispatch from Lord Roberts, dated at Bloemfontein, March 30, evening:

"Reports point to the enemy's leaving Bloemfontein and proceeding in a northerly direction. The casualties in yesterday's engagement were more numerous than in the first reported. Officers killed 2; wounded, 8; rank and file killed 10 (query 19); wounded, 159; missing, 3."

From Cape Town it is reported that President Steyn has gone to Pretoria after, according to refugees, issuing an order that all British burghers refusing to join the Boer army shall be shot. The stories of refugees, however, are notoriously unreliable. The news from elsewhere is meager. The last reports from Natal indicated the speedy clashing of the armies.

LONDON, March 31.—Even the details of the engagement yesterday at Kamek Sliding station, a few miles south of Brandfort, fail to instill much interest. It appears to have been a one-sided affair, although the Boers stoutly held their ground against a force three or four times their size for three hours, when, foreseeing the danger of the British cavalry enveloping their flanks, the burghers withdrew in good order on their main body at Brandfort, which, according to Lord Roberts, they seem later to have decided to relinquish with the view, doubtless, of occupying a prepared position further north. There will probably be a general shifting of camps on the part of the British, the new position being made the base of a further advance as soon as the railroad is repaired.

paper currency which the British commander had issued, was satisfactory.

TRAN-VAAL NOTES.

News of the War Condensed for Quick Reading.

A dispatch is at Bloemfontein. Lord Roberts' army is still in the hands of the Boers. The Boers will continue to send troops in force. The Boers will continue to send troops in force. The Boers will continue to send troops in force.

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TELEGRAMS CONDENSED.

News of Coast Cities Abbreviated for Quick Reading.

Mrs. McKinley is ill with the grip. Bryan may leave his residence in Texas. Bryan had the crowd on his West-ern trip.

Two British cruisers have arrived at Tokyo, China. General Joseph Wheeler will stay in the Army. Ex-Senator Philbrick Sawyer of Wisconsin is dead.

Turkey prohibits the importation of American pork. Too Roman has bought a villa at Gravenstein Bay. The Columbia Theater of Chicago has been burned.

Governor Roosevelt will sign the Anti-Pigsticker bill. A bill in the French Senate abolishes public execution. Bombardiers are still killing Chinese in San Francisco.

The United States cruiser Albany remains at Newcastle. The Austrian Parliament was prorogued on March 25. The bill to prohibit pool-selling in San Francisco is dead.

Padreswaki gave concerts in San Francisco a week ago. McKinley has recognized Taylor as Governor of Kentucky. Rich gold deposits have been found in Cape Nome swamps.

Three big hotels are building in New York, costing \$20,000,000. Five U. S. mints are proposed for various points in the West. Five million people are now receiving public relief in India.

Odelberg has been appointed Sweden's Minister of Agriculture. Crack English chess players have been beaten by Americans. Visalia, California, wants McKinley to visit it. He may accept.

Cleveland approves the neutralization of the Nicaragua canal. Charles E. Loomis, the pioneer olive-grower of California, is dead. N. Glycerine has been fired with safety from smooth-bore guns.

The census of live stock in the U. S. will show age, sex and use. A mining suit in Montana, involving \$2,725,500, has been instituted. The death of Consul Barnes at Cologne, Germany, is announced.

On March 25 M. Rostand, the dramatist, was reported recovering. The battleship Wisconsin's machinery has been successfully tested. The Earl of Denbigh, the pioneer olive-grower of California, is dead.

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Native high for the old Castilian regime. The Powers have guaranteed an open door in China.

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captain and eleven men of the crew were drowned. Only two saved.

According to a Washington dispatch of March 23, there is virtually a deadlock in the Senate over the Porto Rico tariff bill. The free trade Republicans declare no tariff can be passed. The Senate joins the ranks of the opposition and the House leaders remain obstinate and prevent a compromise measure.

WAS AT MOLOKAI.

News of the Priest Who Succeeded Father Damien.

PORTLAND, Ore., March 31.—Father Conrardy, a priest well known on the Pacific Coast, now 60 years of age, announces that he will leave in a short time for Canton, China, for the purpose of working among the leper colony in the province of Canton, where it is said there are many thousands of these wretched beings.

In order to better equip himself for the work, Father Conrardy took a course in medicine and he has just been given the degree of M. D. by the medical department of the University of Oregon.

Father Conrardy spent eight years at Molokai, in the Hawaiian group, where more than a thousand lepers are confined, taking full charge of the colony after Father Damien succumbed to leprosy.

A reproduction of the Washington-Lafayette monument in Paris will be unveiled in New York. It is by Bartholdi.

Mrs. Jack Gardner of Boston shows her handsome home to strangers at \$2 and \$3 a head. The money goes to charity.

Germany still favors the plan of a mixed commission for settling commercial difficulties. Ambassador White approves.

The San Francisco Chronicle charges Health Board there with making a false plague scare to get appropriations.

The shipping bill will soon be called up. Senator Frye says American tonnage will not increase until subsidies are given.

Miss Irwin and her sister Flo are fighting in court over their respective rights to produce "The Swell Miss Fitzwells."

Charles Mussey, a Vermont bank cashier, is arrested after scaling for six years. He got \$145,000 by crooked bookkeeping.

The Commercial Treaties Committee of the Italian Chamber of Deputies favors reciprocity treaty with the United States.

Germany may get the Danish West Indies and the resignation of the Danish Cabinet is unfortunate for the United States.

Porto Rico relief bill has passed the House and been signed by the President. It gives \$2,000,000 to sufferers on the island.

Hastings (Neb.) women believe Viola Horlocker, charged with attempted murder by means of poisoned candy, to be innocent.

The first case under the California law requiring newspaper articles to be signed by the writer's name was thrown out of court.

Negotiation in the reciprocity treaty between Germany and America is at a standstill pending information as to Congress' position.

The Eastern papers declare San Francisco to be infected by the plague. San Francisco has officially telegraphed forty cities to the contrary.

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Disinfectant!

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Put up in all sizes. Pint bottles, 25c, which will make a pair of the surest germ-destroyer.

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Rapidly cuts short all attacks of Epilepsy, Spasms, Colic, Palpitation, Hysteria.

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